

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RYAN C. FORD, a Minor, by and through his  
Guardian, GARY GOODMOTE,  
8723 West Ridge Road  
Girard Township, PA 16417

No. 05-54 Erie

and

ROBERT FORD and MAE FORD,  
Individually,  
8723 West Ridge Road  
Girard Township, PA 16417

Plaintiffs,

v.

ICON HEALTH AND FITNESS, INC.,  
1550 South 100 West  
Logan, UT 84110

and

SEARS, ROEBUCK AND COMPANY,  
3333 Beverly Road  
Hoffman Estates, IL 60179

Defendants.

**RULE 41 STIPULATION OF DISMISSAL**

Plaintiffs, Ryan C. Ford, a Minor, by and through his Guardian, Gary Goodmote, and Robert and Mae Ford, through their respective counsel, Michael J. Koehler for Ryan C. Ford and Gary Goodmote, and Christina S. Nacopoulos for Robert and Mae Ford, and Defendants, Icon Health & Fitness, Inc., and Sears, Roebuck and Company, by and through their counsel, Picadio Sneath Miller & Norton, P.C., and Henry M. Sneath and Shannon M. Clougherty, hereby state that the above-referenced matter has settled.

Accordingly, by the authority of Federal Rule of Civil Procedure 41, and pursuant to the Order of Court issued in this matter on November 7, 2006, the parties file this Rule 41 Stipulation of Dismissal, and ask this Honorable Court to enter the attached proposed Order of Court granting this Stipulation, and requesting the Clerk of Courts to mark this case dismissed with prejudice.

Respectfully submitted:

PICADIO SNEATH MILLER & NORTON

/s/ Henry M. Sneath

Henry M. Sneath, Esquire  
Pa. I.D. No. 40559  
Shannon M. Clougherty  
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4710 USX Tower, 600 Grant Street  
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Phone: (412) 288-4000  
Counsel for Defendant  
Icon Health & Fitness, Inc.

Stipulated and agreed to by:

/s/ Christina S. Nacopoulos

Christina S. Nacopoulos  
Attorney At Law  
349 West 6<sup>th</sup> Street - Suite 1  
Erie, PA 16507  
Christina@attorneychristina.com  
Counsel for Plaintiffs Robert and Mae Ford

/s/ Michael J. Koehler

Michael J. Koehler, Esquire  
NICHOLAS, PEROT, SMITH, KOEHLER & WALL  
2527 West 26<sup>th</sup> Street  
Erie, PA 16506  
[attymjk@adelphia.net](mailto:attymjk@adelphia.net)  
Counsel for Plaintiff Ryan Ford

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Rule 41 Stipulation of Dismissal has been served upon all parties either individually or through counsel by:

_____	Hand-Delivery
_____	Facsimile
_____	First Class, US Mail, Postage Prepaid
_____	Certified Mail-Return Receipt Requested
<u>  X  </u>	CM/ECF Notice of Filing

at the following addresses:

Michael J. Koehler, Esquire  
Nicholas, Perot, Smith, Koehler & Wall  
2527 West 26<sup>th</sup> Street  
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(Co-Counsel for Plaintiff)

/s/ Henry M. Sneath

Henry M. Sneath, Esquire  
Shannon M. Clougherty, Esquire  
Counsel for Defendants

Date: February 28, 2007